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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF OREGON**

10 GARRY THOMAS SIGGELKOW, an
11 individual,

Plaintiff,

12 v.

13 NORTHWEST GROUP, INC., a
domestic corporation, RAJEEV K.
GUPTA, an individual,

14 Defendants.

Case No.:

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§1331,1441 and 1446**

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16 **NOTICE OF REMOVAL**

17 COMES NOW Defendants, NORTHWEST GROUP, INC., a domestic corporation,
18 RAJEEV K.GUPTA, an individual, by and through its undersigned counsel, pursuant to the
19 provisions of 28 U.S.C. §§1331,1441 and 1446, appearing specially so as to preserve any and all
20 defenses available under Rule 12 of the Federal Rules of Civil Procedure, and hereby gives notice
21 of removal of this action from the Circuit Court of Multnomah County, Portland, Oregon,
22 bearing Case No. 18CV27461, to the United State District Court, District of Oregon. In support of
23 this notice of removal, the Defendants state as follows:

24 I. INTRODUCTION

25 In Plaintiff's amended complaint, Plaintiff alleges violations of the Fair Labor

Standards Act, as well as other state law allegations. The defendants allege counterclaims under state law. The Defendant Rajeev Gupta alleges that the plaintiffs cannot pierce the corporate veil against him personally so the matter against him should be dismissed.

II. GROUNDS FOR REMOVAL

Plaintiff alleges violations of 29 U.S.C. §§201,207,215, 255. The grounds for removal are pursuant to 28 USC §§1331, 1441 and 1446, Federal Question Jurisdiction. Defendants deny these allegations.

III. ADOPTION AND RESERVATION OF DEFENSES

The defense reserves the right to preserve all defenses and counterclaims including but not limited to lack of personal jurisdiction, insufficient service of process, improper state court venue, protection of the corporate veil, laches, abatement for arbitration pursuant to contractual agreement, and any and all possible counterclaims.

IV. PROCEDURAL REQUIREMENTS

The defense was served via email of the Amended complaint on July 30, 2018. Pursuant to 28 USC 1446(b)(2)(C)(3), the date of receipt of the amended complaint begins the 30 day clock to allow the defendants to remove this case to federal court. The filing of this notice and the related pleadings is well within this 30 day time period.

WHEREFORE, Defendants pray that this Court take jurisdiction for this action and issue all necessary orders and process to remove this action from the Circuit Court of Multnomah County, Portland, Oregon to the United States District Court for the District of Oregon.

Respectfully submitted this 31st day of July, 2018.



Gregory Scott Hoover
Attorney for the Defendants
OSB#021537